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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,145	09/30/2003	Jerry A. Overton	2381	5609
28005	7590	12/30/2005	EXAMINER	
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			ART UNIT	PAPER NUMBER
			2686	

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/675,145	OVERTON, JERRY A.	
	Examiner Nghi H. Ly	Art Unit 2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 30 September 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-20 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 09/30/03.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ .
5) Notice of Informal Patent Application (PTO-152)
6) Other: ____ .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-9, 11-17, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joyce et al (US 6,798,358) in view of Pines et al (US 6,970,548).

Regarding claims 1 and 12, Joyce teaches a method comprising: maintaining a set of data that correlates data-references with location (see Abstract and column 1, line 54 to column 2, line 21), wherein each data reference points to respective data (see column 2, lines 10-15), receiving from a device a request for context-based data (see Abstract and column 1, lines 54-67), determining a current location of the device (also see Abstract and column 1, line 54 to column 2, line 21), querying the set of data to uncover at least one data-reference that the set of data correlates with the current location of the device (also see Abstract and column 1, line 54 to column 2, line 21), acquiring data to which the at least one data-reference points (also see Abstract and column 1, line 54 to column 2, line 21), and sending the acquired data to the device in response to the request (also see Abstract and column 1, line 54 to column 2, line 21).

Joyce does not specifically disclose device capability information, determining one or more capabilities of the device, and the data set correlates with the one or more capabilities of the device.

Pines teaches device capability information, determining one or more capabilities of the device, and the data set correlates with the one or more capabilities of the device (see column 26, lines 31-53, see "capabilities", "voice format" and "text format").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Pines into the system of Joyce in order to provide a system and method which provides wireless directory and other information assistance services (see Joyce, column 1, lines 14-18).

Regarding claim 2, the combination of Joyce and Pines further teaches a wireless carrier performing the method (see Joyce, fig.1, wireless device 10, or see Pines, items 4 and 6).

Regarding claim 3, Joyce further teaches receiving the request comprises receiving the request via a radio frequency air interface, and wherein sending the acquired data comprises sending the acquired data via the radio frequency air interface (see Abstract, and fig.1, wireless device 10).

Regarding claims 4 and 14, the combination of Joyce and Pines further teaches the device comprises a mobile station (see Joyce, fig.1, wireless device 10, or see Pines, items 4 and 6).

Regarding claims 5 and 15, Joyce further teaches the request comprises an HTTP request (column 7, lines 25-30, see "HTTP request").

Regarding claims 6 and 16, Joyce further teaches determining the current location of the device comprises querying a location-determination system (see Abstract and column 1, line 54 to column 2, line 21).

Regarding claim 7, Joyce further teaches determining the current location of the device comprises reading an indication of the current location from the request (see Abstract and column 1, line 54 to column 2, line 21).

Regarding claims 8 and 17, the combination of Joyce and Pines teaches claims 1 and 12. The combination of Joyce and Pines does not specifically disclose querying a device capabilities store to determine the one or more capabilities of the device. However, the Examiner takes Office notice that such feature as recited in the claim is very well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Joyce and Pines for providing a method as claimed, for querying the device capabilities store.

Regarding claim 9, the combination of Joyce and Pines teaches claims 1 and 12. The combination of Joyce and Pines does not specifically disclose determining the one or more capabilities of the device comprises determining a make and model of the device, wherein the make and model inherently defines certain device capabilities. However, the Examiner takes Office notice that such feature as recited in the claim is very well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Joyce and Pines for providing a method as claimed, for determining the one or more capabilities of the device.

Regarding claim 11, the combination of Joyce and Pines teaches claims 1 and 12. The combination of Joyce and Pines does not specifically disclose generating the

set of data by a process comprising computing at least one Cartesian product of (i) a measure of geographic location and (ii) one of the data references. However, the Examiner takes Office notice that such feature as recited in the claim is very well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Joyce and Pines for providing a method as claimed, for generating a set of data.

Regarding claim 13, Joyce further teaches a radio access network through which the request passes from the device to the network server, and through which the acquired data passes from the network server to the device (see Abstract, fig.1 and column 1, line 54 to column 2, line 21).

Regarding claim 19, the combination of Joyce and Pines teaches claims 1 and 12. The combination of Joyce and Pines does not specifically disclose the network server comprises a portal server. However, the Examiner takes Office notice that such feature as recited in the claim is very well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Joyce and Pines for providing a method as claimed, for transmitting a portal page.

Regarding claim 20, the combination of Joyce and Pines further teaches the network server is operated by a carrier that provides the device with an access channel (see Joyce, column 7, lines 17-22, see "link", and see Pines, column 17, lines 45-50, see "channel").

3. Claims 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joyce et al (US 6,798,358) in view of Pines et al (US 6,970,548) and further in view of Andaker et al (US 6,944,479).

Regarding claims 10 and 18, the combination of Joyce and Pines teaches acquiring data to which the at least one data-reference points comprises sending at least one HTTP request directed to at least one URI of the at least one data-reference (see Joyce, column 7, lines 25-30, see "HTTP request"). The combination of Joyce and Pines does not specifically disclose the data-references comprise uniform resource identifiers ("URIs").

Andaker teaches the data-references comprise uniform resource identifiers ("URIs") (see Abstract and column 7, lines 51-52).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Andaker into the system of Joyce and Pines in order to provide a systems, methods and computer program products for using call establishment signaling to request data (see Andaker, column 1, lines 6-11).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Maruyama (US 5,732,326) teaches information guiding system and method of preventing borrower of portable terminal unit from forgetting to return it.

b. Gallant (US 5,711,008) teaches cellular packet data arrangement.

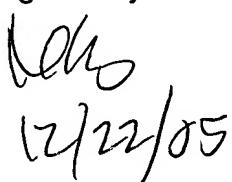
c. Dennison (US 5,546,445) teaches cellular telephone system that uses position of a mobile unit to make call management decisions.

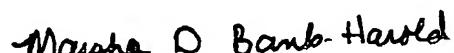
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (571) 272-7911. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi H. Ly


12/22/05


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